

# **Exhibit 2**

## List of Materials Considered

	Description	Bates Range
<b><i>Pleadings</i></b>		
1	Complaint, <i>The Procter &amp; Gamble Company v. Ultreo, Inc.</i> Before the United States District Court, Southern District of New York, No. 07 Civ. 8379 (RJS), September 27, 2007	
2	Notice of Motion, October 26, 2007	
3	Memorandum of Law in Support of Plaintiffs Motion for a Preliminary Injunction, October 26, 2007	
4	Stipulated Confidentiality Order	
5	Memorandum of Law in Support of Plaintiffs Motion for a Preliminary Injunction, October 26, 2007	
<b><i>Declaration and Affidavits</i></b>		
1	Declaration of Thomas D. Dupont, Ph.D. in Support of Plaintiffs Motion for a Preliminary Injunction, with Exhibits, October 9, 2007	
2	Affidavit of Wayne Randall in Support of Plaintiffs Motion for a Preliminary Injunction, with Exhibits, October 18, 2007	
3	Affidavit of Aaron Biesbrock in Support of Plaintiffs Motion for a Preliminary Injunction, with Exhibits, October 26, 2007	
4	Affidavit of John B. Williams in Support of Plaintiffs Motion for a Preliminary Injunction, with Exhibits, October 26, 2007	
<b><i>Annual Reports</i></b>		
1	"2007 Annual Report," Procter & Gamble Company	
<b><i>Other Documents</i></b>		
1	"Ultreo, Inc. Files Countersuit Against Procter & Gamble," Business Wire, October 18, 2007	
2	"Oral Care – The Market – US – April 2007," Mintel International Group Limited, 2007	
3	Elizabeth A. Evans and Peter P. Simon, "Economic Analysis in Nonpatent Intellectual Property Rights and Damages Measures," <i>Litigation Services Handbook: The Role of the Financial Expert</i> , Fourth Edition, Roman L. Weil, Peter B. Frank, Christian W. Hughes, Michael J. Wagner, Editors, (New York: John Wiley, 2007)	

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	Description	Bates Range	
4	Robert E. Hall and Victoria A. Lazear, "Reference Guide on Estimation of Economic Losses in Damages Awards," from <i>Reference Manual on Scientific Evidence</i> , Second Edition, (Federal Judicial Center, 2000)		
5	Victoria A. Lazear, "Estimating Lost Profits and Economic Losses," <i>Litigation Services Handbook: The Role of the Financial Expert</i> , Third Edition, Roman L. Weil, Michael J. Wagner, and Peter B. Frank, Editors, (New York: John Wiley, 2001)		
6	Mohan Rao and Christian Tregillis, "Econometric Analysis," <i>Litigation Services Handbook: The Role of the Financial Expert</i> , Fourth Edition, Roman L. Weil, Michael J. Wagner, and Peter B. Frank, Editors, (New York: John Wiley, 2007)		
<b>Bates Numbered Documents</b>			
1		PG000001	PG000141
2		PG000142	PG000200